

from the group consisting of nucleotides 1-695 of SEQ ID NO:1, SEQ ID NO:1, SEQ ID NO:2, and the complements thereof.

24. (NEW) The isolated nucleic acid of claim 23 wherein said nucleotide sequence is at least 90% homologous to the reference sequence.
25. (NEW) The isolated nucleic acid of claim 24 wherein said nucleotide sequence is at least 95% homologous to the reference sequence.
26. (NEW) The isolated nucleic acid of claim 25 wherein said nucleotide sequence is at least 98% homologous to the reference sequence.
27. (NEW) The isolated nucleic acid of claim 26 wherein said nucleotide sequence is at least 99% homologous to the reference sequence.
28. (NEW) The isolated nucleic acid of claim 23 wherein said reference sequence is nucleotides 1-695 of SEQ ID NO:1.
29. (NEW) The isolated nucleic acid of claim 23 wherein said reference sequence is selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:2.

30. (NEW) The isolated nucleic acid of claim 28 wherein said nucleic acid has promoter activity in a plant cell or a plant.
31. (NEW) An isolated nucleic acid comprising a nucleotide sequence having nucleotides 1-695 of SEQ ID NO:1.
32. (NEW) An isolated nucleic acid comprising a nucleotide sequence selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:2.
33. (NEW) The isolated nucleic acid of claim 32 wherein said nucleotide sequence is SEQ ID NO:1.
34. (NEW) The isolated nucleic acid of claim 32 wherein said nucleotide sequence is SEQ ID NO:2.
35. (NEW) The isolated nucleic acid of claim 29 wherein said nucleic acid restores an sgs3 mutant of *Arabidopsis thaliana*.
36. (NEW) An isolated polypeptide comprising an amino acid sequence having at least 80% homology to SEQ ID NO:3.
37. (NEW) The isolated polypeptide of claim 36 wherein said amino acid sequence is at least 90% homologous to SEQ ID NO:3.
38. (NEW) The isolated polypeptide of claim 37 wherein said amino acid sequence is at least 95% homologous to SEQ ID NO:3.

39. (NEW) The isolated polypeptide of claim 38 wherein said amino acid sequence is at least 98% homologous to SEQ ID NO:3.
40. (NEW) The isolated polypeptide of claim 39 wherein said amino acid sequence is at least 99% homologous to SEQ ID NO:3.
41. (NEW) The isolated polypeptide of claim 36 wherein said polypeptide restores an sgs3 mutant or *Arabidopsis thaliana*.
42. (NEW) An isolated polypeptide comprising an amino acid sequence of SEQ ID NO:3.
43. (NEW) An isolated polypeptide comprising a fragment of a polypeptide having an amino acid sequence of SEQ ID NO:3 wherein said fragment has biological activity in a plant or plant cell.
44. (NEW) An expression cassette comprising:
- a plant promoter;
  - a nucleic acid comprising a nucleotide sequence that is at least 80% homologous to SEQ ID NO:2; and
  - a plant terminator,
- wherein said plant promoter is operably linked to said nucleic acid, and wherein said terminator is operably linked to said nucleic acid.

45. (NEW) An expression cassette comprising:

a plant promoter;

a nucleic acid comprising a nucleotide sequence that is at least 80% homologous to the complement of a nucleotide sequence selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:2; and

a plant terminator,

wherein said plant promoter is operably linked to said nucleic acid, and wherein said terminator is operably linked to said nucleic acid.

46. (NEW) An expression cassette comprising:

a plant promoter having a nucleotide sequence that is at least 80% homologous to nucleotides 1-695 of SEQ ID NO:1,

a nucleic acid encoding a heterologous polypeptide, and a plant terminator,

wherein said plant promoter is operably linked to said nucleic acid, and wherein said terminator is operably linked to said nucleic acid.

47. (NEW) An expression vector or transformation vector comprising a nucleic acid of claim 23, 28, or 29 or an expression cassette of claim 44, 45, or 46.

48. (NEW) A process for transforming a host organism comprising contacting the host organism with either a nucleic acid of claim 23, 28, or 29 or an expression cassette of claim 44, 45, or 46.
49. (NEW) A process for expressing a heterologous gene in a host organism comprising contacting a host organism, comprising a heterologous gene, with an expression cassette comprising:
- a plant promoter;
  - a nucleic acid comprising a nucleotide sequence that is at least 80% homologous to the complement of a nucleotide sequence selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:2; and
  - a plant terminator.
50. (NEW) A process for expressing a heterologous gene in a host organism comprising contacting a host organism which comprises a heterologous gene, with a polypeptide comprising an amino acid sequence that is at least 80% homologous to SEQ ID NO:3.
51. (NEW) A transformed host organism comprising at least one nucleic acid of claim 23, 28, or 29 or an expression cassette of claim 44, 45, or 46.

52. (NEW) An isolated nucleic acid that selectively hybridizes to a nucleic acid having a nucleotide sequence selected from the group consisting of nucleotides 1-695 of SEQ ID NO:1, SEQ ID NO:1, SEQ ID NO:2, and the complements thereof.